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Transcript of Steven Hill

Date: August 9, 2018
Case: Hill -v- Food Lion

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Transcript of Steven Hill
Conducted on August 9, 2018

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1 Q So what was the purpose of going to the
2 store on August 12, 2016?

3 A Grocery shopping.

4 Q All right. Were you with anyone else?

5 A My fiancée Wendie Sue Walton. She's here
6 with me today.

7 Q And tell me -- tell me about the path you
8 took into the store before your fall. Or what did
9 you do in the store?

10 A Walked in the front way, walked into where
11 the aisles are. She went her way. I went to aisle
12 8 to get my deodorant, Degree deodorant, because,
13 you know, they got different ones out now,
14 different, you know -- red, blue, orange colors. So
15 I grabbed four of them.

16 Q Well, before we get into that --

17 A Okay.

18 Q -- let me ask: So you immediately walked
19 to aisle 8 after you entered the store?

20 A Yeah. I knew what I was getting.

21 Q Then tell me what happened. Tell me what
22 happened while you were in aisle 8.

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1 A I walked to aisle 8. There was two
2 employees on the floor stocking the shelves. There
3 was a tote box right where I was going to go, where
4 the deodorant was. I walked to the deodorant,
5 grabbed the four deodorants, was walking away and
6 noticed I already had two of them at home, turned
7 right around, went to put two back, slipped and
8 fell. She said, oh my God, he fell. He got up --
9 they both got up, came to my attention. The manager
10 came. He told me to stay on the ground. I was
11 looking up at the ceiling, seeing everything, you
12 know, lights, camera and all. And they came, then
13 they put the cone and all over there and cleaned it
14 up. The ambulance came, I went to Calvert Memorial
15 Hospital. They did X-rays, X-rays were negative.
16 They sent me home with nothing and told me check in,
17 catch up with my primary doctor. And that's what I
18 did and here we are.

19 Q Okay. So I'm going to unpack some of this
20 and go back through what you've just told me. You
21 had selected four deodorants?

22 A Mm-hmm.

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1 Q And then you said you walked away?

2 A Yes.

3 Q While you were selecting those four
4 deodorants and as you were walking away, did you
5 notice anything on the floor?

6 A No. Just a grey tote box and it was open.
7 And he was beside the tote box, stocking, and she
8 was down maybe 14 feet from him, stocking herself,
9 and they were squatting.

10 Q When you walked back to place the two --

11 A I never placed them back. They went flying
12 (indicating).

13 Q Okay, but on your way -- did you take the
14 same path back to the area?

15 A I just turned right around and walked
16 (indicating).

17 Q So that was through the same area that you
18 had already been?

19 A The same area.

20 Q Okay. Did you notice before your fall --

21 A No.

22 Q -- anything on the ground?

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1 A Couldn't even see it. They didn't even see
2 it until after I fell. They didn't see it until I
3 patted my hand and showed them where it was
4 (indicating).

5 Q And after your fall did you determine what
6 caused you to fall?

7 A Something on the floor, liquid.

8 Q Okay.

9 A Clear liquid, could not see it.

10 Q So you did not observe it before you fell?

11 A Didn't see it.

12 Q And the employees didn't observe it before
13 you fell?

14 MR. HOLLEY: Objection.

15 A They were too busy doing their job, to be
16 honest with you. They weren't even looking at me.

17 Q Did anyone tell you that they saw the
18 substance on the floor --

19 A No.

20 Q -- before you fell? Well, let me just make
21 sure we -- I want to go back to one of the first
22 rules that we talked about. Again, it's easy to

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1 anticipate what my question is and what your answer
2 is going to be. And while she's good --

3 A Well, I just know the truth. It's no.

4 Q I understand that, but she's creating a
5 record. It's going to be in writing and she can't
6 take us down both at the same time, okay? So just
7 let me ask the question, and then give your answer,
8 all right?

9 A Yeah.

10 Q Okay. Did anybody tell you that they saw
11 the liquid on the floor before you fell?

12 A No.

13 Q Did anybody from Food Lion tell you that
14 they knew the substance was on the floor before
15 they (sic) fell?

16 A No.

17 Q Did anybody from Food Lion tell you how the
18 substance came to be on the floor?

19 A No.

20 Q Do you know how the substance came to be on
21 the floor?

22 A No.

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1 Q Okay. Do you know how long prior to your
2 fall the substance was on the floor?

3 A No.

4 Q Okay. Do you know what the substance was?

5 A After I patted. Had to be soap because it
6 made bubbles.

7 Q And was it -- when you were on the ground,
8 you felt the substance? Is that what you said?

9 A Yeah. I was laying down. They all come to
10 me and said what happened. And they said where is
11 it at. I said it's right here (indicating), and I
12 went like that; see the bubbles. And that's when
13 they came with the cones and all, wet floor, and the
14 warning sign with the person on it and all. And the
15 manager came, and then they called the ambulance.
16 The ambulance came. They actually asked me did I
17 want to go to the hospital, and I said yes.

18 Q Okay.

19 A And I got on the stretcher and off I went.

20 Q Now, before you -- I want to talk about the
21 time after your fall and before you went away in the
22 ambulance. What did any of the Food Lion employees

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1 Q Yeah. Yeah, it's a very important -- so
2 I'm talking -- this is just before the fall, okay?
3 Before you fell at Food Lion you said you were
4 treating with Dr. Griffith, correct?

5 A Yes.

6 Q And then you also told me that you were --
7 Dr. Griffith had referred you to pain management
8 before your fall?

9 A I might be wrong on that.

10 Q Okay.

11 A I'm trying -- I've seen a lot of doctors.
12 Was he giving me pain medicine before my fall?

13 Q Well, it's a different question. The
14 question that I'm asking is did you -- did
15 Dr. Griffith have you in pain management, to a pain
16 management doctor, before your fall?

17 A I have to say no.

18 Q Okay. With respect to -- you said that
19 you -- when did you see a substance coming out of
20 the tote box?

21 A After I fell.

22 Q Okay.

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1 A I didn't notice it until after I fell.

2 Q Okay. How far away was this tote box from
3 you before your fall?

4 A A foot.

5 Q Okay. How much liquid was on the ground?
6 After you fell how much liquid was on the ground?

7 A A puddle.

8 Q How big was the puddle?

9 A You're asking a lot here, man. I mean, I'm
10 not a scientist. I don't...

11 (The court reporter requested clarification
12 regarding the answer.)

13 A I'm not a scientist.

14 MR. HOLLEY: He means --

15 Q The size.

16 A Three by one.

17 Q So when you say "three," was that three
18 feet?

19 A Three foot by one foot.

20 Q Okay. And that was --

21 A It was out in -- from the tote box it was
22 out in the middle of the hallway, the aisle.

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1 Q Okay.

2 A And that's where I fell, in the middle of
3 the aisle; is where I laid. Where I fell is where I
4 stayed.

5 Q And you didn't see that before your fall?

6 A No, I did not.

7 Q Once you were on the ground, was it obvious
8 that there was a liquid substance on the ground?

9 A Yeah, because when I fell -- and when I
10 fell, I went like that (indicating). I said there
11 it is. I felt it with my hand when I fell. Nobody
12 saw it. They didn't even see it until I showed them
13 where it was with my hand, because they were up on
14 top of me and saying we don't see it. I said it's
15 right here, see the bubbles (indicating). And
16 that's when, like I said, they all came with the
17 cones, wet floor, blah, blah, blah.

18 Q Okay.

19 MR. MARSHALL: Okay, those are all the
20 questions I have.

21 MR. HOLLEY: I only -- just to -- I think
22 this might be the easiest way to figure out the whole